

Application No. 10/033,714

REMARKS

Claims 1-23, 25, 27-34, 36-65, 67-80, 82-84, 86 - 92 are in the case.

The applicant has studied the Office Action dated December 5, 2005 and has made the changes believed appropriate to place the application in condition for allowance.

Reconsideration and reexamination are respectfully requested.

The Examiner has objected to claims 21-29, 33-43, 63-72 and 74-91 as containing reference to a specific type of scanner, i.e. a flatbed scanner or a transparent scanning surface, on the basis that these features were not disclosed in the original application. The applicant respectfully disagrees. The application as originally filed fully disclosed these features:

[0026] In the illustrated embodiment, ***the optical scanner 132 is a conventional flatbed scanner***, the construction and operation of which is well known in the art. An example may be the model D1230UF flatbed scanner, manufactured by Canon USA, Inc., Lake Success, New York, U.S.A. In one type of optical scanner, a light source ***below the scanning surface 136*** illuminates the object which has been placed adjacent to the surface 136. ***This surface 136 typically includes a protective window 140 which often is constructed of transparent glass or plastic.*** The window 140, in turn, is protected by a hinged lid 142 which may be removed should it interfere with the structure 138 or cassette 100. (Paragraph 26, emphasis added)

However, in order to expedite the application, these features have been cancelled from the claims as set forth above. Applicant expressly reserves the right to pursue this subject matter in a continuing application. It is respectfully submitted that the objection to the claims on this basis should be withdrawn.

The applicant gratefully acknowledges the Examiner's indication of allowability of claims 1-23, 30-32, 44-62 and 92. It is assumed that claim 43 (not rejected over the cited art) is allowable as well. The applicant also gratefully acknowledges the allowability of claims 26-29,

35, 37-42, 64-80 and 83-91 if rewritten in independent form. It is noted that claim 74 is an independent claim. The subject matter of dependent claim 26 has been incorporated into independent claim 25 and claim 26 has been cancelled without prejudice. The subject matter of dependent claim 35 has been incorporated into independent claim 33 and claim 35 has been cancelled without prejudice. The subject matter of dependent claim 66 has been incorporated into independent claim 63 and claim 66 has been cancelled without prejudice. The subject matter of dependent claim 85 has been incorporated into independent claim 82 and claim 85 has been cancelled without prejudice. It is respectfully submitted that independent claims 25, 33, 63 and 82 are therefore in allowable condition. The remaining objected to claims depend from directly or indirectly from the independent claims 25, 33, 63 or 82. It is respectfully submitted that these remaining objected to claims are in allowable condition as well.

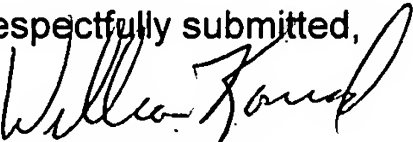
Claims 24, 25, 33, 34, 36, 63, 81 and 82 have been rejected as anticipated or unpatentable over Shimizu. The applicant respectfully disagrees. However, in order to expedite prosecution, claims 24 and 81 have been cancelled without prejudice. Applicants expressly reserve the right to pursue the subject matter of these claims in a continuing application. As noted above, claims 25, 33, 63 and 82 have been amended to incorporate subject matter which the Examiner has indicated places these claims in condition for allowance. Claim 36 is similar to allowable claim 74 and should therefore be allowable as well. Applicants expressly reserve the right to pursue the original subject matter of these claims 24, 25, 33, 34, 63, 81 and 82 in a continuing application.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those and other comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

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In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is earnestly solicited.

Respectfully submitted,

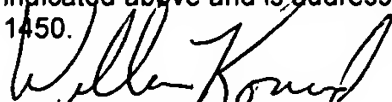

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



William K. Konrad

April 5, 2006
(Date)